Introduction

Deliberation's Wake

Over the last several decades, contemporary democratic theory has found itself in the wake of what political theorist John Dryzek once referred to as a "deliberative turn."[1] Indeed, it would be difficult to identify a single subject or theoretical orientation over the course of this period that has been the focus of greater elaboration or scrutiny than the theory known as "deliberative democracy." Writing nearly two decades after his initial declaration, Dryzek was able to claim even more confidently that "deliberative democracy now stands at the core of democratic theory."[2] On the cusp of what is now its fourth decade, the literature on deliberative democracy had become so voluminous that Dryzek, along with several other scholars, assembled *The Oxford Handbook of Deliberative Democracy*, a reference work cataloguing the explosion of this scholarship in political theory and related fields, such as law and numerous social sciences. Its contributions comprise just under a thousand pages from over ninety scholars at prominent institutions around the world.[3] To be sure, the centrality of deliberation to moral and political decision-making is certainly not a new concept but has ancient roots, most prominently in the thinking of Aristotle, who discusses it in the *Nicomachean Ethics* and in the *Politics*.[4] Still, the exponents of deliberative democracy approach the subject with an altogether different set of concerns, focusing not on the ethical character of citizen and regime, but on the liberal values of freedom and equality that are said to be secured among citizens when mutual appeal or persuasion is required to establish the legitimacy of laws and policies.

In contrast with earlier strains of democratic theory, which had prioritized the aggregation of individual preferences, deliberative democrats have

thus asserted the normative import of citizens supporting their policy preferences through a process of public reason-giving. In doing so, the argument goes, democratic societies are capable of achieving legitimacy by virtue of their having secured the consent or authorization of laws and policies by which citizens are to be governed. In other words, these scholars believe it is truer to the spirit of democracy to say that citizens must *justify* their choices to one another, rather than simply relying on institutional devices, such as the franchise, to ensure that individual preferences are given equal weight in the determination of policy outcomes. With this shift in priorities, it is worth noting, democratic theory may be said to have forsaken the intellectual inheritance derived from the social contract theory of Thomas Hobbes and aligned itself instead with that of Jean-Jacques Rousseau. That is to say, the utilitarian understanding of democracy as an attempt to maximize the collective interests of citizens has principally been abandoned for one that sees society's members as joining together to preserve their freedom or self-determination, insofar as all are recognized as authors of the laws that govern them. These two sides of social contract theory, one might argue, have since the eighteenth century been at odds with respect to the normative purposes underpinning democracy, and the shift that has taken place over the last three decades marks a decided "turn" in the direction of such thinking toward Rousseau's priority of individual autonomy.

The present work enters the conversation regarding the importance of deliberation for contemporary democratic society, but it does so by looking at this ongoing discussion through a historical lens. That is not to say that it aims to chronicle the various twists and turns that its arguments have taken over this period from the perspective of a neutral or distanced observer.[5] Indeed, one of the first principles of the approach to be adopted is that no such neutral or detached perspective with regard to this scholarly discussion or any other is accessible to human understanding. Rather, the present study aims to offer its own assessment of the nature of political deliberation as a contribution to this ongoing dialogue that, it must be acknowledged, has a history and did not emerge ex nihilo. The approach being adopted is thus "historical," in the first instance, insofar as it views this discussion regarding deliberation itself as taking place over time, such that the various interlocutors may each be seen as responding to those who preceded them, while interpreting what was previously said in light of its application to their own historical circumstances. According to this view, one might say that any written dialogue, no matter how close together the participants are to one another historically speaking, takes place over time, such that each

interlocutor inevitably carries forward a conversation that is already under way and never exists in a historical vacuum. While it is impossible to bear in one's mind the entirety of the various contributions to such a discussion, it is nonetheless instructive to read or interpret its participants in the light of the key predecessors or voices to whom they were principally responding.

In the second instance, the approach to be adopted here is "historical" in the sense that it aims to bring to bear on this conversation a sensitivity to the historical nature of deliberation in any society, insofar as citizens and government officials must be seen as flesh and blood human beings for whom the meanings expressed in their moral language are always informed by particular customs, habits, and practices. Consequently, *genuine* deliberation, which is to say, that which entails the normative "pull" or persuasiveness of those whose lives are embedded within shared, concrete ways of living, will be limited by the temporal horizons of communities of interlocutors and the way that they reason and argue. As the dialogue is enlarged beyond such communities, however, the sharing of concrete meanings necessarily diminishes, and with it the common understandings and interpretations, as well as the mutual persuasiveness or resonance of arguments.[6] Additionally, it will be contended, it is not only shared meanings that are furnished, wherever they exist, by such communities but also a willingness or inclination to deliberate the common good. The preparation for deliberation as a *practice* is again something, wherever it exists, that one learns through participation in received patterns of living and is not invented by the solitary individual out of whole cloth. In sum, the approach to be adopted may be seen as historical in both its form and its substance: it brings a historical sensibility or approach to bear vis-à-vis the existing scholarly dialogue, as well as a historical conception, substantively speaking, regarding the deliberation that takes place among citizens and public officials.

Deliberation without Limits

The central concern of what follows is that the arguments among prominent deliberative democrats regarding mutual justification promote a belief in the legitimacy of democratic societies based on an understanding of deliberation that is unrealistic to the point of being utopian. This is not, to be sure, the first time this charge has been leveled at the theory of deliberative democracy. However, the present analysis is unique in its approach for bringing to bear some of the most important insights into the nature of

morality and discourse associated with the thinking of one of the twentieth century's most prominent philosophers of history, Hans-Georg Gadamer. While several political theorists and philosophers, often characterized as having a "neo-Aristotelian" orientation, have previously raised important criticisms of deliberative democracy regarding its neglect of social context and collective norms, the contention here is that such critiques have fallen short without the more penetrating insights of Gadamer into the historical nature of human experience, moral phenomena, and the role of language in understanding. Drawing on Gadamer's practical philosophy, together with his theory of interpretation known as philosophical hermeneutics, the present study aims to shed new light on how deliberative democracy first came to these idealized aspirations regarding moral and political deliberation in democratic societies, as well as the way that it has obscured such problems.[7] Furthermore, it aims to call attention to the significant costs associated with such thinking and to propose a more nuanced approach to questions relating to the importance of tradition, or concrete communities that exist over time, and the tradeoffs that we ultimately confront between meaningful or genuine deliberation, on the one hand, and the freedom of the individual subject, on the other.

What is it, more precisely, that Gadamer's historical, hermeneutical approach has to offer this ongoing conversation that previous critics have neglected and that deliberative democrats have failed to take into account in their thinking about moral and political deliberation? The central claim of the theory of deliberative democracy, which says that political legitimacy is achieved when citizens justify their positions to all other members of society, is based on an understanding of morality that fundamentally severs the latter from the historical practices from which it emerges, resulting in exceedingly optimistic assumptions regarding the possible scope or scale of the dialogue that is to take place. In other words, this severance of morality from the concrete historical contexts in which language develops through its repeated use ultimately occludes the temporal limitations that bound shared understanding, thus prompting such theories to posit deliberation on the largest of scales, that is, among hundreds of millions of radically diverse interlocutors. This abstraction or divorce of morality from the concrete human relationships to which it meaningfully refers is a characteristic of thinking about morals belonging to the Enlightenment, upon which Gadamer's philosophy sheds light. Drawing additionally on interpreters of his philosophy who emphasize the primacy of what Aristotle called *ethos* and G. W. F. Hegel called *Sittlichkeit*, the argument here is that Gadamer's thinking

essentially collapses the Enlightenment's dualism between morality, right, or the good, on the one hand, and what may be called ethical substance, historical effectedness, or the existential fact, on the other. It is Gadamer's unique, historically informed account of the good, which borrows insights from the early work of Martin Heidegger into our fundamental facticity and—rather than drawing any relativistic conclusions—uses them to renew or recover our ancient metaphysical tradition, thus allowing Gadamer to show how our thinking has come to sever the moral from the historical.[8] I argue that collapsing this "metaphysical dualism" is precisely what is needed if we are to come to terms with the problem of conceiving moral dialogue as taking place among groups of interlocutors that are potentially boundless or unlimited.[9]

Conceiving of deliberation as if it were possible among the millions of individuals who comprise contemporary democratic societies, such theories essentially graft a familiarity with smaller-scale dialogue among rooted interlocutors onto a significantly larger scale, while no longer appreciating or valuing the essential preconditions that made such dialogues possible. In other words, they idealize practices such as mutual respect and forbearance, and take for granted shared understandings of fundamental values, while positing or presupposing their existence for citizens who lack the sort of background that would make sound deliberation possible. In short, such theories rely tacitly and parasitically on the fruits of traditions that acculturate citizens to living in community with one another, while simultaneously denying the latter's normative import. Of course, this problem—the problem of abstraction from the historical life—has not itself emerged from nowhere, but also has a history. On the longest of time horizons, it can be traced back to the rationalism of ancient Greek philosophy, as found in particular writings of Plato and especially the Neoplatonists. However, for the purposes of the present study, I identify a modern moment in which this tendency became explicitly heightened or intensified—that is, the attack on tradition inaugurated by Rousseau, which preceded the idealizing of autonomy found in his theory of the social contract.

What is distinctive about Rousseau's thinking about morality during an age in which not a small number of philosophers and political theorists were similarly succumbing to this old dualism is that unlike many who were contemplating moral precepts in rather abstract or *ahistorical* terms, Rousseau's conception of the just society became explicitly *anti-historical*. In other words, in the thinking of Rousseau and those such as Immanuel Kant who followed him, there was not merely a neglect of the historical

nature of morality, but a self-conscious attempt to articulate what is right or just in terms that were specifically not determined by tradition or customary institutions or, in the broadest sense, by historical experience. Whether one subscribed to the elaborate narrative in Rousseau's first two discourses regarding the thoroughgoing malevolence of Western history and the institutions such as private property to which it gave birth, Rousseau's thinking was foundational for a new conceptualization of morality as an escape from determination by concrete experience and the power to exercise one's free or spontaneous will in a manner that evaded all such coercion. When Kant articulated his more systematic and rationalistic rendering of the central moral impulse in Rousseau's general will in the form of the categorical imperative, one also witnessed this hostility toward experience on prominent display. Prioritizing the free, spontaneous will thus became the central moral imperative of this "autonomy tradition," which perceived threats to individual liberty and human dignity in all such determination by the experiential realm, whether those forces were deemed malevolent or simply the accident of arbitrary historical developments.

It is this autonomy tradition and its normative priorities that have most profoundly shaped contemporary democratic theory, particularly the aim of securing a universal consensus or agreement in order to establish the justice of laws and policies. By the 1990s, there was a broad convergence in the thinking of two of the most prominent representatives of Anglo-American and Continental political philosophy. John Rawls and Jürgen Habermas, whose emphasis on "public reason"—in the former case, an existing consensus with which citizens were to justify their political positions to one another, and, in the latter case, an open-ended deliberative process aimed at securing such a consensus—were inspired by these same fundamental priorities or concerns of their Enlightenment predecessors vis-à-vis the freedom or autonomy of individual citizens. Subsequent generations of "constitutional" and "proce-dural" democrats, that is, those who emphasize settled liberal norms as a means of grounding public deliberation, or those who leave such questions open to a widely discursive public sphere, were largely inclined in one of these directions or the other. Central to both sets of concerns has been the problem of moral diversity or "the fact of pluralism," and how citizens might conceive of the laws and policies that govern them as legitimate in light of the disappearance of traditional communities with a shared ethical orientation in "modern" societies. According to this view, our recognition of the latter demands, above all, seeing discourses about just political arrange-ments in distinctively "post-metaphysical" terms, which indicates that any

consensus that achieves the legitimacy of laws and policies must transcend metaphysical orientations, instead adopting "the moral point of view," a universal perspective acceptable to all citizens regardless of their particular ethical background.

Gadamer and the Enlightenment

At the center of Gadamer's life's work is a critique of Enlightenment or post-Enlightenment thinking, which he saw as the flawed or epistemologically naive outlook that exhibits what Heidegger once referred to as the "forgetfulness of being," an ideal of understanding that sees the thinking subject as a spectator to an external world, while blind or oblivious to the concrete historical life that facilitates or makes possible such thinking. Gadamer's philosophy shows that this intellectual legacy has contributed to a number of problematic dichotomies that his work seeks to collapse: "subjectivity and objectivity, ought and is, feeling and reason, authority and reason, rhetoric and reason," all of which seem to confound rather than elucidate the reality of human experience and understanding.[10] To be sure, Gadamer's relationship to the Enlightenment is hardly unequivocal, as Robert Dostal has recently made clear, particularly vis-à-vis the thinking of Kant. Yet, with respect to the ideal of "radical" or "complete" Enlightenment, in which Gadamer clearly believes Kant's philosophy participates, he is most critical, and he makes such aspirations the central target of his critique in *Truth and Method* and in much of the rest of his writing.[11] As is suggested by the range of dichotomies mentioned above, the thinkers associated with these divisions are numerous, and the further development of such intellectual frameworks is often more appropriately associated with subsequent generations of thinkers. Certainly, as Gadamer was well aware, participating in dialogue may entail carrying forward ideas that are perhaps not explicitly articulated by a given thinker, but nonetheless may be seen as an understandable application or extension of the thoughts that the individual originally expressed. This is the nature of historically effected consciousness (*Wirkungsgeschichte Bewusstsein*), according to Gadamer, whether the ideas effected by history are those that have "deceived us and held us captive" or have revealed themselves to contain true "insight."[12]

It is with this in mind, and in the spirit of seeing the present project as its own contribution to an ongoing discussion, that this work should be understood as an application or extension of Gadamer's thinking to a

particular area of inquiry—the relationship of morality to dialogue—which the latter may be seen as helpfully illuminating. Consequently, this study represents neither Gadamer's comprehensive take on the Enlightenment, nor an attempt to speak for him on some particular aspect of it. Rather, it is an attempt to profit from his insights and bring them to bear vis-à-vis claims that have been made on behalf of the theory of deliberative democracy. With regard to Gadamer's writing and our interpretation of it, there can only ever be what he famously called a "fusion of horizons" of understanding between present interpreter and historical text.[13] Still, as Gadamer was also quite clear, there are good and bad interpretations, which he characterized in terms of an Aristotelian mean and its corresponding extremes. In any encounter with a text, Gadamer believes we must see ourselves in a dialogue, neither imputing heavy-handedly that which we want the text to say, so that only we "speak" and the text is rendered "silent," nor staying entirely "silent" ourselves, as when one aims at positivist exposition, so that only the text is permitted to "speak." Instead, he says, our approach to the written word must always involve an *application* to the interpreter's situation, as one finds paradigmatically with religious and legal texts, in which one asks how what was previously written may be seen as speaking to one's present circumstances.[14] It is therefore in this spirit that the present study aims to make use of Gadamer's philosophy.

Among the various dichotomies that Gadamer's work calls into question, it is the division between history and morality that will be the focus here, since this bears directly on the question of political deliberation and the possibility of consensus in a morally diverse society.[15] Here, the well-known section of *Truth and Method* entitled, "The Rehabilitation of Authority and Tradition," will be particularly relevant, as will his later work on moral reasoning, as found in *The Idea of the Good in Platonic-Aristotelian Philosophy*, along with various essays that serve to develop his practical philosophy.[16] It is in the latter essays, in particular, that Gadamer engages most explicitly and critically with the Kantian idea of practical reason and the contrast that it presents with his more historically informed, Aristotelian conception of *phronesis*. Although Gadamer participated in a famous exchange with Jürgen Habermas, who is deeply indebted to Kant's thinking about morality, this was prior to the publication of Habermas's seminal "Discourse Ethics" and his more overtly political work that followed pertaining to the idea of public reason. Consequently, Gadamer never explicitly addressed this area of Habermas's philosophy, which attained prominence, particularly among political theorists, toward the end of Gadamer's life.[17] Gadamer's articula-

tion of the dependence of the good on *Sittlichkeit*, or the collapse that he undertakes of the dichotomy between the historical and the moral, may nevertheless be said to "speak to," or have implications for, the plausibility of cognitivist theories of morality, such as those belonging to Habermas, Rawls, and their followers.

The principal insight of Gadamer's work that may be brought to bear on such thinking is that we do not stand apart from, "looking at" morality, as if the latter were merely the words or speech that we use when engaged in moral and political deliberation. On the Gadamerian view put forth here, morality is more appropriately understood as *who we are*, which is to say, it is the person that we have become or the character that we have developed over time. What one articulates in moral language is thus deeply informed by the concrete ways of living in which we always already participate. There is never "our" morality, as if the latter were an intellectual or linguistic "thing"—a tool to be reached for when we go to deliberate with others—and thus viewed as separate from our lived, historical being. Certainly, speech is a vitally important *part of* the moral life, as Gadamer himself emphasizes, and its use can provide lucidity regarding our moral intuitions. However, it must always be kept in view that the language of morality is not morality itself. In other words, the meanings within the word (*logos*) are made possible by the concrete ethical life, which shapes and informs our speech in ways that we sometimes are aware of but often are not. Whenever persuasion happens, one calls forth through recollection (*anamnesis*) the meanings embedded in language from time out of mind, since the experience (*Erfahrung*) upon which the latter is based is not ours alone but given over to us by others, a bequest from prior generations. Our language, therefore, invokes a *sensus communis*—moral intuitions derived from historically mediated patterns of experience—whenever we are success-ful in persuading others or find others to be persuasive. The particularity of our historically effected consciousness, as Gadamer makes clear, must therefore be seen as the condition that at once facilitates and occludes all understanding. That is to say, it makes understanding possible, insofar as it furnishes a vantage point from which one accesses and makes sense of the world, while also precluding us from ever occupying an Archimedean position from which one might see the whole of reality.

This is the fundamental significance of Gadamer's insight into the productive nature of our prejudices (*Vorurteile*).[18] Collapsing the dualism between historical experience and morality, Gadamer thus confronts the epistemological "idol" of modernity, prejudice-free understanding, or what he

derisively refers to as the "prejudice against prejudice."[19] Against this view, he argues that tradition is the essential precondition of all real understanding, which he says is not simply generated by the inertia of history but must be "affirmed, embraced, [and] cultivated."[20] Toward what end, then, are we to affirm such traditions? I believe that it is the possibility of truth that demands this affirmation of the concrete ethical life—most fundamentally, the forging of a *sensus communis* upon which we draw and through which we may achieve real understanding with regard to the good that is common between us.[21] Knowing and communicating about the good requires a knowledge thereof that, on Gadamer's account, only becomes possible *within* the ethical life (*ethos*, *Sittlichkeit*).

Such development of the ethical person must therefore become a normative priority, and to dismiss or neglect the latter, as has been done by contemporary democratic theory, would have significant consequences. That is to say, when the ethical life is attenuated, whether due to its explicit disparagement or simple neglect, among those things we lose is our ability to "speak" to one another. To be sure, as Gadamer makes clear, interpretation and understanding always remain a possibility, to some degree, irrespective of our sharing a particular ethical orientation. But it is undeniable that not all communication is equally successful, and that there are times, such as in contemporary American politics, when we do not really "hear" one another. There are circumstances, in other words, that are more or less conducive to genuine or authentic deliberation, which depends, at least in part, on the presence or absence of the concrete preconditions Gadamer identified as contributing to true understanding. When the normative import of this situation is denied, the prospects for its improvement are substantially diminished—ironically, in the present case, by those who make sound political deliberation the very centerpiece of their political philosophy.

Continuing the Dialogue

It is thus the utopian nature of contemporary democratic theory and the diminished normative import that it ascribes to tradition, or concrete communities that exist over time, that the present work seeks to address. I begin with a diagnosis of the source of this error, which I believe to be found in the eighteenth century thinking of Rousseau and Kant, the principal founders of the modern autonomy tradition, whose metaphysical dualism accentuated the tendency within the Western philosophical tradition to separate

morality from historical experience. The first two chapters are dedicated to identifying this tendency in their respective thinking, but with a particular focus on the relationship between their ideas, rather than their demonstration of this characteristic independently of one another. Chapter 1 thus examines Rousseau's anticipations of this metaphysical dualism in Kantian moral philosophy, while chapter 2 looks at the corresponding reception or interpretation of Rousseau along these lines within the thinking of Kant. In chapter 3, I examine the continuing influence of the autonomy tradition on contemporary democratic theory, focusing specifically on the work of Habermas and Rawls. In particular, the aim of the third chapter is to show the continuation of this "divorce" of the good from history inherited from Rousseau and Kant, along with its perpetuation among subsequent generations of deliberative democrats and the utopian implications of thinking about morality in these terms. The first three chapters, therefore, are principally devoted to diagnosing the origins and modern inheritance of this problematic dichotomy among key figures within the democratic tradition of political philosophy.

In chapter 4, I begin using Gadamer's practical philosophy to demonstrate how the aforementioned dualism may be collapsed via his critique of "historical consciousness" (what he sometimes calls "naive historicism") and the way that his analysis applies not merely to the interpretation of texts but, as he says, to "all human experience of the world and human living."[22] Gadamer's "rehabilitation" of tradition, whose focus in *Truth and Method* tends to be more epistemological than practical, is then joined with his theory of moral reasoning articulated in several other key texts. Here, it is Gadamer's engagement with Aristotle and the critique of Kantian ethics that inform his philosophical position, whose insights underpin both the fourth and fifth chapters. In chapter 5, I therefore continue this discussion by presenting an alternative view of deliberation, which uses Gadamer's more historically informed understanding of morality, as derived from his reading of the Platonic-Aristotelian tradition, to reconceptualize our "use" of ethical principles, which we do not find ready-at-hand but more accurately capable of deliberating *through us*.

In the final chapter of the book, chapter 6, I situate these insights drawn from Gadamer's thinking within a somewhat broader discussion regarding philosophical anthropology and the individual's place within the social order. I argue that the autonomy tradition and its deliberative democratic progeny represent, essentially, an Aristotelian "excess" or extreme corresponding to the atomistic individualism of the Enlightenment. Only,

instead of contracting the unit of analysis down to the level of the individual, the autonomy tradition expands it to encompass the whole of society. In the final portion of this chapter, I then discuss the reliance of deliberative democracy on an appeal to "modernity" in order to justify what I see as the disproportionate weight that it ascribes to individual liberty via the ideal of autonomy. This, I believe, represents an illegitimate turn in ongoing arguments regarding the competing values of individual and community. And it is here that the question of normative priorities is brought into sharpest relief. For there is ultimately no settling such fundamental questions once and for all, for our society or any other, and to do so would mean putting an end to the conversation regarding the values that are to be promoted within our political order. The latter is a dialogue that—echoing a recurring theme within Gadamer's work—must always be seen as ongoing, and, in the final analysis, I argue that such appeals to the impossibility of cultivating the ethical life in the present age represent, ironically, an undermining of the very freedom that deliberative democrats set out to advance.

Notes

1. John Dryzek, *Deliberative Democracy and Beyond: Liberals, Critics, Contestations* (New York: Oxford University Press, 2000), 1.

2. John Dryzek, "The Forum, the System, and the Polity: Three Varieties of Democratic Theory," *Political Theory* 45, no. 5 (2017), 610.

3. André Bachtiger, John S. Dryzek, Jane Mansbridge, and Mark E. Warren, eds., *The Oxford Handbook of Deliberative Democracy* (New York: Oxford University Press, 2018).

4. See Aristotle, *Nicomachean Ethics*, trans. David Ross (New York: Oxford University Press, 2009), 41–46 (1112–1113) and *Politics*, trans. Carnes Lord (Chicago: University of Chicago Press, 2013), 225, 345–47 (1281b, 1298a). For an analysis that places the idea of deliberation in Aristotle's *Politics* in a conversation with contemporary deliberative democrats see James Lindley Wilson, "Deliberation, Democracy, and the Rule of Reason in Aristotle's *Politics*," *American Political Science Review* 105, no. 2 (2011): 259–74.

5. Or, as several recent commentators have described these developments, as if to underscore this complexity, the "turns within the turn." Marta Poblet, Pompeau Casanovas, and Víctor Rodríguez-Doncel, *Deliberative and Epistemic Approaches to Democracy* (Cham, Switzerland: Palgrave Macmillan, 2020), 29.

6. The emphasis here is on "diminishes." That is to say, as a dialogue is extended beyond one's community and its *sensus communis*, meanings begin to

change, making mutual understanding more difficult, though never so absolutely as to become incomprehensible. According to Hans-Georg Gadamer, whose thinking is central to the current project, mediation or translation between horizons of understanding always remains a possibility. Hans-Georg Gadamer, *Truth and Method*, trans. Joel Weinsheimer and Donald G. Marshall, 2nd rev. ed. (New York: Continuum, 2004), 444. Still, given the dependence of *logos* (word) upon *ergon* (deed), differences in concrete human practices or ways of living would have to be reflected in or correspond to differences in the uses and meanings of language. For the importance of the relationship between *logos* and *ergon* to Gadamer's thinking, see P. Christopher Smith, *Hermeneutics and Human Finitude: Toward a Theory of Ethical Understanding* (New York: Fordham University Press, 1991), 244–57.

7. To be sure, this is not the first occasion on which Gadamer's thinking has been used to address the issues raised by theories of deliberative democracy. See Darren Walhof, *The Democratic Theory of Hans-Georg Gadamer* (Cham, Switzerland: Palgrave Macmillan, 2017), esp. ch. 3. However, Walhof's work is ultimately more sympathetic than the present study to the theory of deliberative democracy. These differences of application regarding Gadamer's thinking arise from different emphases in our interpretations of his philosophical hermeneutics, specifically the extent to which the facticity of embodied interlocutors is seen as shaping their use of language and the meanings that arise among individuals of shared experience. While both of our accounts acknowledge, with Gadamer (and following Heidegger), that particularity is the ground that both limits and facilitates human understanding, Walhof is more optimistic than I am regarding the emergence of the latter, or, to put it otherwise, he places less emphasis on differences that emerge in the use of language between those of shared versus unshared experiential backgrounds. As the concrete experiences (*Erfahrungen*) of interlocutors begin to differ, I see such differences of background as increasingly taxing mutual understanding and the resonance of meanings between interlocutors, even if not to the point of complete incomprehensibility (see note 6 above).

8. I have elaborated my understanding of Gadamer's relationship to the Western metaphysical tradition along these lines in Ryan Holston, "Anti-Rationalism, Relativism, and the Metaphysical Tradition: Situating Gadamer's Philosophical Hermeneutics," in *Critics of Enlightenment Rationalism*, ed. Gene Callahan and Kenneth B. McIntyre (Cham, Switzerland: Palgrave Macmillan, 2020), 193–209.

9. Here, I am not merely referring to the scale of deliberations themselves, but also the composition of society's interlocutors, that is, the refusal to recognize differences among the latter, such that there could ever be a warrant for preferring engagement with and thus inclusion of some over others. Walhof clearly acknowledges the import of the former, and he speaks of the "vital necessity" of "face-to-face dialogue." See Walhof, *The Democratic Theory of Hans-Georg Gadamer*, xi. However, he is uncritical of the tendency among deliberative democrats to complete openness of dialogues to all interlocutors, regardless of experiential qualification or preparation

for deliberation. In chapter 5, I will discuss two dimensions of such experiential preparedness for deliberative engagement: the shared meanings that are essential to genuine persuasion and the preexistence of a willingness among such persons to deliberate the common good.

10. Robert J. Dostal, "Gadamer, Kant, and the Enlightenment," *Research in Phenomenology* 46, no. 3 (2016), 340.

11. Ibid., 339–40.

12. Gadamer, *Truth and Method*, 350.

13. Ibid., 306–10.

14. Ibid., 306.

15. I believe this dichotomy is what Dostal has in mind when he refers to "authority and reason" in the quotation above. Regardless, his list of dichotomies may certainly be extended, as he rightly suggests. Dostal, "Gadamer, Kant, and the Enlightenment," 340.

16. Such essays are found in Hans-Georg Gadamer, *Reason in the Age of Science*, trans. Frederick G. Lawrence (Cambridge, MA: MIT Press, 1982); *Hermeneutics, Religion, and Ethics*, trans. Joel Weinsheimer (New Haven, CT: Yale University Press, 1999); *The Gadamer Reader: A Bouquet of the Later Writings*, ed. and trans. Richard E. Palmer (Evanston, IL: Northwestern University Press, 2007).

17. The famous "debate" between Gadamer and Habermas took place in the late 1960s and early 1970s, whereas the "Discourse Ethics," was not published in German until 1983 or in English until 1990. For the debate itself, see Gayle L. Ormiston and Alan D. Schrift, eds., *The Hermeneutic Tradition: From Ast to Ricoeur* (Albany: State University of New York Press, 1990). For Habermas's theory of law and political institutions informed by the moral theory articulated in the "Discourse Ethics," see *Between Facts and Norms*, trans. William Rehg (Cambridge, MA: MIT Press, 1996). Some proponents of the discourse ethics are clearly aware of the implications of Gadamer's earlier criticisms for Habermas's later work. See, in particular, Klaus Günther, *The Sense of Appropriateness: Application Discourses in Morality and Law*, trans. John Ferrell (Albany: State University of New York Press, 1993), esp. 190–201. Although he cites Günther's defense of the discourse ethics, Habermas's principal response to his critics refers to Gadamer's thinking only once, and, even then, philosophical hermeneutics is actually invoked by Habermas *in support* of his position. Here, Habermas claims that the possibility of fusing horizons of understanding anchors "universalistic concepts of morality and justice," which must be understood, essentially, in terms of an overcoming of what separates different "forms of life." I believe this to be a misinterpretation of philosophical hermeneutics, which unduly suppresses the particularity of different forms of life. This would be inconsistent not only with Gadamer's fundamental indebtedness to Heidegger's emphasis on the facticity in which *logos* is embedded, but it overlooks the linguistic metaphor to which Gadamer frequently adverts, which is the resemblance of this fusion to a "translation" between horizons of understanding, which uses and

thus maintains (rather than overcoming) one's original, particular perspective. Pace Habermas, philosophical hermeneutics implies that we never occupy an epistemological vantage point beyond our particularity, even when we achieve understanding between different forms of life. See Jürgen Habermas, *Justification and Application: Remarks on Discourse Ethics*, trans. Ciaran Cronin (Cambridge, MA: MIT Press, 1993), 36–38, 104–5.

18. Gadamer, *Truth and Method*, 280.

19. Dostal, "Gadamer, Kant, and the Enlightenment," 339; Gadamer, *Truth and Method*, 273.

20. Gadamer, *Truth and Method*, 282.

21. I argue this point in different ways in Holston, "Anti-Rationalism, Relativism and the Metaphysical Tradition," and Ryan Holston, "Two Concepts of Prejudice," *History of Political Thought* 35, no. 1 (2014): 174–203.

22. Gadamer, foreword to the second edition of *Truth and Method*, xxxi, xxvii.